

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 29th day of July, two thousand twenty.

Present: Dennis Jacobs,
Robert D. Sack,
Denny Chin,
Circuit Judges.

Martin Jonathan Batalla Vidal, et al.,

Plaintiffs-Appellees,

v.

ORDER

18-485(L), 18-488(Con),
18-1521(Con), 18-1525(Con),
18-1985(Con), 18-1986(Con),
18-1987(Con), 18-1988(Con)

Donald J. Trump, President of the United States,
et al.,

Defendants-Appellants.


The appeal in the above captioned case from an order of the United States District Court for the Eastern District of New York was argued on the district court's record and the parties' briefs. While the appeal was pending, the Supreme Court granted defendants-appellants' petition for certiorari before judgment. The Supreme Court issued its opinion on June 18, 2020, and its judgment was transmitted to this Court on July 20, 2020.

Upon consideration thereof, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the district court's February 13, 2018 order granting a preliminary injunction is VACATED, the district court's November 9, 2017 order partially denying defendants-appellants' motion to dismiss is AFFIRMED IN PART, and the district

court's March 29, 2018 order partially denying the balance of defendants-appellants' motion to dismiss is REVERSED IN PART. The case is REMANDED to the district court for further proceedings consistent with the Supreme Court's opinion.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

 Catherine O'Hagan Wolfe

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 Catherine O'Hagan Wolfe